

Notice of Allowability

Application No.

10/033,215

Examiner

Cheryl M. Fernandes

Applicant(s)

VISHIK, CLAIRE S.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to September 6, 2005.
2. ☒ The allowed claim(s) is/are 1-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This communication is in response to Amendment filed September 6, 2005.

Claims 1-37 are pending. Claims 1, 18, 21, 24, and 37 are amended.

Response to Arguments

2. Applicant's arguments, see page 10, first paragraph, filed September 6, 2005, with respect to claims 1, 18, 21, 24, and 37 have been fully considered and are persuasive. The 35 USC 103 rejection of claims 1-37 has been withdrawn.

Allowable Subject Matter

3. Claims 1-37 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Referring to claims 1, 24, and 37 Ronstrom teaches a computer-implemented method and systems for adaptably maintaining a taxonomy defined by a plurality of nodes arranged hierarchically, the method comprising the steps of determining a threshold access value for each node of said plurality of nodes, determining a level of access value for each node of said plurality of nodes, comparing said level of access value for a first node of said plurality of nodes with said threshold access value for said first node of said plurality of nodes, and comparing said level of access value for said first node of said plurality of nodes with said threshold access value for a second node of said plurality of nodes, and if said level of access value for said first node is greater than said threshold access value for said second node, promoting said first node to a

higher level in said hierarchical arrangement than said second node, and if said level of access value for said first node is less than said threshold access value for said second node, demoting said first node to a lower level in said hierarchical arrangement than said second node.

Referring to claims 1, 24, and 37, Chen teaches that a node is merged with a related parent lateral node if level of access value for a first node is less than a threshold access for the first node.

None of these references, taken either alone or in obvious combination disclose a computer-implemented method and systems for adaptably maintaining a taxonomy defined by a plurality of nodes arranged hierarchically, the method comprising the steps of determining a threshold access value for each node of said plurality of nodes, determining a level of access value for each node of said plurality of nodes, comparing said level of access value for a first node of said plurality of nodes with said threshold access value for said first node of said plurality of nodes, ***and if said level of access value for said first node is less than said threshold access value for said first node, merging said first node with a related non-parent node arranged laterally to said first node in said hierarchical arrangement***, and comparing said level of access value for said first node of said plurality of nodes with said threshold access value for a second node of said plurality of nodes, and if said level of access value for said first node is greater than said threshold access value for said second node, promoting said first node to a higher level in said hierarchical arrangement than said second node, and if said level of access value for said first node is less than said threshold access value

for said second node, demoting said first node to a lower level in said hierarchical arrangement than said second node.

Claims 2-17 and 25-36 depend from claims 1 and 24 respectively and are therefore also allowable.

5. Referring to claim 18, Ronstrom discloses a computer-implemented method for maintaining a dynamic taxonomy, the method comprising the steps of determining a threshold usage value for each node of a plurality of nodes of said dynamic taxonomy, determining an actual usage value for each node of said plurality of nodes, comparing said actual usage value for a first node of said plurality of nodes with said threshold usage value for said first node of said plurality of nodes, and that said actual usage value for said first node is less than said threshold usage value for said first node.

Referring to claim 18, Chen discloses a node that is merged with a related parent lateral node if an actual value for a first node is less than a threshold value for the first node.

None of these references, taken either alone or in obvious combination disclose a computer implemented method for maintaining a dynamic taxonomy, the method comprising the steps of determining a threshold usage value for each node of a plurality of nodes of said dynamic taxonomy, determining an actual usage value for each node of said plurality of nodes, comparing said actual usage value for a first node of said plurality of nodes with said threshold usage value for said first node of said plurality of nodes, and ***if said actual usage value for said first node is less than said threshold***

usage value for said first node, merging said first node with a related non-parent lateral node.

Claims 19 and 20 depend from claim 18 and are therefore also allowable.

6. Referring to claim 21, Ronstrom discloses logic encoded in a computer-readable media for adaptable maintaining a taxonomy defined by a plurality of nodes arranged hierarchically, and operable to determining a threshold access value for each node of a plurality of nodes of said dynamic taxonomy, determining a level of access value for each node of said plurality of nodes, comparing said level of access value for a first node of said plurality of nodes with said threshold access value for said first node of said plurality of nodes, and that said level of access value for said first node is less than said threshold access value for said first node.

Referring to claim 21, Chen discloses that a node is merged with a related parent lateral node if level of access value for a first node is less than a threshold access for the first node.

None of these references, taken either alone or in obvious combination disclose logic encoded in a computer-readable media for adaptably maintaining a taxonomy defined by a plurality of nodes arranged hierarchically, and operable to determine a threshold access value for each node of said plurality of nodes, determine a level of access value for each node of said plurality of nodes, compare said level of access value for a first node of said plurality of nodes with said threshold access value for said first node of said plurality of nodes, and ***if said level of access value for said first***

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node is less than said threshold access value for said first node, merge said first node with a related non-parent node arranged laterally to said first node in said hierarchical arrangement.

Claims 22 and 23 depend from claim 21 and are therefore also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art or art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 'Automatic Web page classification in a dynamic and hierarchical way' by Peng et al; 2002 IEEE International Conference on 9-12 Dec. 2002; pages 386-393;
- 'WISDOM: Web Intrapage Informative Structure Mining Based on Document Object Model', by Kao et al; IEEE, May 2005 (Vol. 17, No. 5); pages 614-627.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Fernandes who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 19, 2005
CMF



UYEN LE
PRIMARY EXAMINER